

1                                   **STATE OF IOWA**  
2                                   **BOARD OF EDUCATIONAL EXAMINERS**  
3                                   **701 E. Court Ave., Suite A**  
4                                   **Des Moines, Iowa 50309**

5  
6                                   **Minutes**  
7                                   **August 4, 2021**  
8

9   The Board of Educational Examiners (Board or BoEE) held a meeting (via Zoom) on  
10   August 4, 2021. This Zoom meeting was held to avoid requiring board members travel  
11   and expenses and to meet a professional practices deadline. Sara Yedlik, Board  
12   Chair, called the meeting to order. Members attending were Kathy Behrens, Dr. Larry  
13   Bice, Tim Bower, Dave Harper, Chad Janzen, Dr. Kristen Rickey, Erin Schoening and  
14   Dr. Tony Voss. Also, in attendance was Mike Cavin, Interim Executive Director, Nicole  
15   Proesch, Attorney/Investigator, and Jordan Esbrook, Assistant Attorney General.  
16   Rhonda McRina was unable to attend.

17  
18   Tony Voss moved, with a second by Kristen Rickey, to approve the agenda. **MOTION**  
19   **CARRIED UNANIMOUSLY.**

20  
21   Tony Voss moved, with a second by Tim Bower, to approve the consent agenda  
22   (minutes for June 24-25, 2021). **MOTION CARRIED UNANIMOUSLY.**

23  
24   Tony Voss moved, with a second by Chad Janzen, to approve the consent agenda  
25   (minutes for July 7, 2021). **MOTION CARRIED UNANIMOUSLY.**

26  
27   Mike Cavin introduced Nicole Proesch who is the new BoEE Attorney replacing Darcy  
28   Hathaway. He also introduced Jordan Esbrook, Assistant Attorney General, who will  
29   be assigned to the BoEE until a replacement is hired due to Jesse Ramirez's  
30   departure.

31  
32   Larry Bice moved, with a second by Kristen Rickey, that the Board go into closed  
33   session for the purpose of discussing closed session minutes, whether to initiate  
34   licensee disciplinary proceedings, and the decision to be rendered in a contested case,

1 pursuant to Iowa Code sections 21.5(a), (d), and (f). Roll call vote: Behrens – yes; Bice  
2 – yes; Bower – yes; Harper – yes; Janzen – yes; Rickey – yes; Schoening – yes; Voss –  
3 yes; Yedlik – yes. **MOTION CARRIED UNANIMOUSLY.**

4  
5 Larry Bice moved, with a second by Erin Schoening, that in **case number 21-03**, the  
6 Board accept the agreement submitted by the parties, and issue an Order  
7 incorporating the agreement of the parties and imposing the agreed upon sanction.

8 **MOTION CARRIED UNANIMOUSLY.**

9  
10 Kristen Rickey moved, with a second by Larry Bice, that in **case numbers 21-10 and**  
11 **21-11**, the Board accept the agreement submitted by the parties, and issue an Order  
12 incorporating the agreement of the parties and imposing the agreed upon sanction.

13 **MOTION CARRIED UNANIMOUSLY.**

14  
15 Erin Schoening moved, with a second by Chad Janzen, that in **case number 21-19**,  
16 the Board accept the agreement submitted by the parties, and issue an Order  
17 incorporating the agreement of the parties and imposing the agreed upon sanction.

18 **MOTION CARRIED UNANIMOUSLY.**

19  
20 Kristen Rickey moved, with a second by Larry Bice, that in **case number 21-36**, the  
21 Board accept the agreement submitted by the parties, and issue an Order  
22 incorporating the agreement of the parties and imposing the agreed upon sanction.

23 **MOTION CARRIED UNANIMOUSLY.**

24  
25 Larry Bice moved, with a second by Erin Schoening, that in **case number 21-20**, the  
26 Board accept the agreement submitted by the parties, and issue an Order  
27 incorporating the agreement of the parties and imposing the agreed upon sanction.

28 **MOTION CARRIED UNANIMOUSLY.**

29  
30 Chad Janzen moved, with a second by Kristen Rickey, that in **case number 20-138**,  
31 the Board accept the agreement submitted by the parties, and issue an Order  
32 incorporating the agreement of the parties and imposing the agreed upon sanction.

1 Roll call vote: Behrens – yes; Bice – yes; Bower – yes; Harper – yes; Janzen – yes;  
2 Rickey – yes; Schoening – yes; Voss – yes; Yedlik - recused. **MOTION CARRIED.**

3 Larry Bice moved, with a second by Erin Schoening, that in **case number 19-124**, the  
4 Board accept the agreement submitted by the parties, and issue an Order  
5 incorporating the agreement of the parties and imposing the agreed upon sanction.

6 Roll call vote: Behrens – yes; Bice – yes; Bower – yes; Harper – yes; Janzen – yes;  
7 Rickey – yes; Schoening – yes; Voss – no; Yedlik - yes. **MOTION CARRIED.**

8  
9 Kristen Rickey moved, with a second by Chad Janzen, that in **case number 19-46**, the  
10 Board accept the agreement submitted by the parties, and issue an Order  
11 incorporating the agreement of the parties and imposing the agreed upon sanction.  
12 **MOTION CARRIED UNANIMOUSLY.**

13  
14 Kristen Rickey moved, with a second by Larry Bice, to extend the 180-day deadline for  
15 issuance of the final decision in **case number 21-17**, based upon the amount of time  
16 needed to complete the investigation. **MOTION CARRIED UNANIMOUSLY.**

17  
18 Erin Schoening moved, with a second by Larry Bice, to extend the 180-day deadline  
19 for issuance of the final decision in **case number 21-22**, based upon the amount of  
20 time needed to complete the investigation. Roll call vote: Behrens – yes; Bice – yes;  
21 Bower – yes; Harper – yes; Janzen – yes; Rickey – yes; Schoening – yes; Voss –  
22 recused; Yedlik - yes. **MOTION CARRIED.**

23  
24 Chad Janzen moved, with a second by Larry Bice, to extend the 180-day deadline for  
25 issuance of the final decision in **case number 21-23**, based upon the need to conduct  
26 the hearing and the need to review the proposed decision. Roll call vote: Behrens –  
27 yes; Bice – yes; Bower – yes; Harper – yes; Janzen – yes; Rickey – yes; Schoening – yes;  
28 Voss – recused; Yedlik - yes. **MOTION CARRIED.**

29  
30 Larry Bice moved, with a second by Kristen Rickey, that the Board approve the closed  
31 session minutes for June 25, 2021. **MOTION CARRIED UNANIMOUSLY.**

1 Request for Reinstatement: Case Number 20-08, Gary Lee Thompson, Jr. - The final  
2 order, issued August 5, 2020, imposed a reprimand, one-year suspension and  
3 completion of the ethics course. Respondent submitted an ethics course transcript.  
4 Larry Bice moved, with a second by Erin Schoening, that the Board grant the  
5 respondent's request for reinstatement as of August 5, 2021, in **case number 20-08**,  
6 and issue an order stating that the basis for the suspension no longer exists, and it  
7 would be in the public interest for the license to be reinstated. Roll call vote:  
8 Behrens – yes; Bice – yes; Bower – yes; Harper – no; Janzen – yes; Rickey – yes;  
9 Schoening – yes; Voss – yes; Yedlik - yes. **MOTION CARRIED.**

11 Request for Reinstatement: Case Number 16-187, Alyn Tarrence Noblet - The final  
12 order, issued November 9, 2017, imposed a 6-month suspension and completion of  
13 the ethics course. Respondent submitted an ethics course transcript. Larry Bice  
14 moved, with a second by Tony Voss, that the Board grant the respondent's request for  
15 reinstatement in **case number 16-187**, and issue an order stating that the basis for  
16 the suspension no longer exists, and it would be in the public interest for the license  
17 to be reinstated. **MOTION CARRIED UNANIMOUSLY.**

19 Request to amend board order: Case Number 19-180, Laura Mayes - The  
20 agreement/final order imposed a reprimand; completion of de-escalation  
21 techniques/strategies and/or restraint training; 6-mo. deferred suspension if  
22 requirements of the final order are not met. The training needed to comply with the  
23 settlement requirements is scheduled and will be completed this fall. Due to the  
24 COVID-19 pandemic, this training was not accessible to Ms. Mayes. Kristin Rickey  
25 moved, with a second by Erin Schoening, that the Board amend the final order in **case**  
26 **number 19-180**, to state the respondent has until September 1, 2021, to complete the  
27 training requirement. **MOTION CARRIED UNANIMOUSLY.**

29 Communication from the Public

30 Mary Moore addressed the board regarding her petition for waiver which was  
31 discussed later in the meeting.

1 Board Member Reports

2 None.

4 Executive Director's Report

5 None.

7 Rules

8 Adopt:

9 None.

11 ARRC Review Pending:

12 None.

14 Notice:

15 None.

17 Petition for Waiver

18 Tony Voss moved, with a second by Larry Bice, that the Board grant **PFW 21-08,**  
19 **Mary Moore. MOTION CARRIED UNANIMOUSLY.** Reasons for granting: The  
20 Board received a Petition from Mary Moore requesting a waiver of the rule for IAC  
21 282-27.2(5)c to obtain a Class G License. Ms. Moore has not completed the  
22 coursework for a Class G License from an approved professional school program  
23 with the exception of an internship and one class. Ms. Moore applied to be a school  
24 counselor at Bluegrass Elementary school and received an offer. Ms. Moore was on  
25 track to complete all coursework except her internship by the time school started.  
26 This would have allowed her to get her Class G license and work while completing  
27 her internship this school year. After meeting with her advisor, she was made  
28 aware that she needed one more class, Counseling Across the Lifespan. Ms. Moore  
29 has a Bachelor's degree in psychology and has completed 250 school counseling  
30 practicum hours at a local high school. She is currently enrolled in Counseling  
31 Across the Lifespan for the fall of 2021 and will take it concurrently with her  
32 internship. Providing a waiver would allow Ms. Moore to get her Class G license,  
33 complete her internship, finish the class she is missing, and get paid for this work.

1 Without it, she would still have to complete the internship but she would not be  
2 able to get paid. Not approving the waiver would provide a hardship to her family  
3 because she would not be getting paid for the internship. This would create a  
4 financial hardship for her family. She will also complete the coursework by  
5 December 17, 2021. A denial of this waiver would place Ms. Moore in a position  
6 that would make it financially impractical to complete a traditional teaching  
7 program. The Board was unable to identify any person whose rights would be  
8 prejudiced by granting this waiver. Additionally, similar waivers have been granted  
9 in the past. Ms. Moore successfully completed all of her coursework and 250  
10 school counseling practicum hours at a local high school. She is currently enrolled  
11 in Counseling Across the Lifespan for the fall of 2021 and will take it concurrently  
12 with her internship. The granting of this waiver would benefit the community,  
13 students, and staff by providing a school counselor. (Ms. Moore was present, via  
14 Zoom, during the discussion of her waiver.)

15  
16 Reports/Approvals

17 None.

18  
19 There being no further business, Tony Voss moved, with a second by Kristen Rickey,  
20 to adjourn the meeting at 4:58 p.m. **MOTION CARRIED UNANIMOUSLY.**